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OCT 20 2006

Docket No. END0786

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jesse J. Kuhns
Serial No. : 10/015,631 Art Unit : 3731
Filed : December 10, 2001 Examiner : T.V. Nguyen
Title : Surgical Instrument Having a Fastener Delivery Mechanism

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being faxed to the
United States Patent & Trademark Office at (571) 273-8300 on October 20, 2006

/Brian S. Tomko/

Brian S. Tomko, Reg. No. 41,349
(Name of applicant, assignee, or Registered Representative)

Honorable Commissioner of Patents
Alexandria, VA 22313

AMENDMENT

Dear Sir:

In response to the Office Action dated April 20, 2006, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this document.

Remarks begin on page 4 of this document.